

SBC Services, Inc. 1401 I Street, N.W. Suite 400 Washington, D.C. 20005

202 326-8903 Phone 202 408-8745 Fax

May 3, 2005

Marlene H. Dortch Secretary Federal Communications Commission 445 12<sup>th</sup> Street, SW Washington, DC 20554

**Re:** CC Docket No. 96-115

Supplemental Notification Under Section 64.2009(f)

Madame Secretary,

SBC Services Inc. ("SBC"), on behalf of the Ameritech Operating Companies, the Southern New England Telephone Company, and Southwestern Bell Telephone L.P., hereby files its April 21, 2005 CPNI disclosure to the Wireline Competition Bureau and a supplemental CPNI disclosure pursuant to Section 64.2009(f). SBC will contemporaneously provide a copy of both disclosures to Tom Navin, Chief of the Wireline Competition Bureau and Monica Desai, Chief of the Consumer & Governmental Affairs Bureau.

Should you have any questions, please do not hesitate to contact Davida Grant at (202) 326-8903.

Sincerely,

Davida Grant Senior Counsel SBC Services, Inc.



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Re: CC Docket No. 96-115

Supplemental Notification Under Section 64.2009(f)

Dear Madame Secretary:

SBC Services, Inc. ("SBC"), on behalf of the Ameritech Operating Companies, the Southern New England Telephone Company, and Southwestern Bell Telephone L.P., hereby files this supplemental notice pursuant to Section 64.2009(f) of the Commission's rules. SBC previously notified the Commission on April 21, 2005 ("April Notification") of certain errors regarding its opt-out mechanisms. In that notification, SBC advised that its investigation into its opt-out approval process is ongoing, and committed to advise the Commission of material changes to the facts disclosed therein or any additional material facts warranting disclosure. With this supplemental notice, SBC advises the Commission of new facts regarding an error involving its electronic biennial CPNI notification process. SBC again commits to advise the Commission of any material changes to the facts disclosed herein or any additional facts that warrant disclosure.

#### SPECIFIC RESPONSE

Section 64.2009(f) of the Commission's rules states:

Carriers must provide written notice within five business days to the Commission of any instance where the opt-out mechanisms do not work properly, to such a degree that consumers' inability to opt-out is more than an anomaly.

(1) The notice shall be in the form of a letter, and shall include the carrier's name, a description of the opt-out mechanism(s) used, the problem(s) experienced, the remedy proposed and when it will be/was implemented, whether the relevant state commission(s) has been notified and whether it has taken any action, a copy of the notice provided to customers, and contact information.

SBC provides the requisite information below.

After discovery of the Electronic Opt-out Notice error disclosed in the April Notification, SBC initiated a review of its electronic opt-out approval processes in all regions. On April 26, 2005, SBC determined that its electronic opt-out mechanisms for customers that received CPNI opt-out notices through the SBC eBill (electronic billing) service did not fully comply with the FCC's rules in its Midwest (Illinois, Indiana, Michigan, Ohio and Wisconsin), Southwest (Missouri, Oklahoma, Kansas, Arkansas and Texas), and East (Connecticut) Regions.

The eBill service provides customers with the option of receiving their monthly bills in electronic, rather than paper, format. Customers that elect to receive an electronic bill receive precisely the same information that SBC would include in a paper bill, including information regarding rates, products and services, and legal disclosures. When SBC includes an insert in the paper bill, such as product advertising, SBC often includes that same information in the e-Bill via an electronic link.

The FCC's rules require carriers that use the opt-out approval mechanism to provide notices to customers that have given them opt-out CPNI approval every two years ("biennial notice"). For paper notices, the FCC's rules do not require carriers to use specific opt-out methods, but rather to notify the customer of the precise steps to take to grant or deny access to their CPNI. However, for electronic CPNI notices, the FCC's rules specify that carriers, at a minimum, "must allow customers to reply directly to e-mails containing CPNI notices in order to opt-out."

Between October and December 2003, SBC sent customers in the affected regions that had previously given SBC opt-out approval and customers from whom permanent CPNI consent (opt-in or opt-out) had not previously been requested the biennial notice. The notice was provided as either an insert in (or as a message on) the paper bill. For customers that elected eBill service, the notice was provided either via a link to the biennial notice or as a message on the eBill. The paper and electronic biennial notice directed customers to call a toll-free number if they wished to restrict access to their CPNI. Customers receiving eBills did not have the ability to reply directly to the electronic biennial notice to opt-out, as required by the FCC's rules.

SBC is in the process of identifying as many of the affected customers as possible. Similar to the remedies proposed in SBC's April Notification, SBC intends to treat the identified affected customers as CPNI No (e.g. assume that SBC has not received those customers' CPNI consent) until it receives CPNI approval (via opt-out or opt-in approval), and until such consent is obtained will not use those customers' CPNI for unauthorized marketing purposes. SBC will send all identified affected customers either paper opt-out notices or electronic opt-out notices that comply with the FCC's electronic notification requirements (less those customers that have disconnected from SBC or have provided or denied SBC opt-in consent). SBC will only send

<sup>&</sup>lt;sup>1</sup> 47 C.F.R. §64.2008(d)(1)(ii).

<sup>&</sup>lt;sup>2</sup> 47 C.F.R. §64.2008(c)(3).

<sup>&</sup>lt;sup>3</sup> 47 C.F.R. §64.2008(d)(3)(ii).

such electronic notices to those customers that have given it express approval to send notices via email regarding their service in general, or CPNI in particular. Additionally, to the extent SBC provides any CPNI notices electronically, SBC will ensure that customers in the affected regions have the ability to reply electronically to opt-out.

In addition to those proposed remedies described in the April Notification, SBC is also in the process of establishing updated processes to enhance the opt-out mechanisms for electronic notifications. These include the following: (i) SBC is creating a central depository for all CPNI notifications, and will identify whether such notifications were or will be sent via paper or electronically; (ii) SBC will require that the SBC Customer Communication organization, together with SBC Legal or Regulatory, approve the insertion of legal or regulatory notices in an electronic confirmation or eBill; and (iii) SBC will update its procedures to emphasize that all required notifications and disclosures contained in, or linked to, electronic confirmations and eBills must be reviewed and approved. Importantly, SBC is continuing its review of its CPNI procedures and will implement any additional remedies necessary to address identified problems.

SBC will make all required notifications to the relevant state public utility commissions. A copy of the paper opt-out notice that SBC sent to the impacted customers is attached.

If you have any questions regarding this disclosure, please contact the undersigned at (202) 326-8903.

Davida Grant Senior Counsel

SBC Services, Inc.

Att.

# ATTACHMENT A

(April 21, 2005 CPNI Disclosure)



Davida Grant Senior Counsel SBC Services, Inc. 1401 I Street, N.W. Suite 1100 Washington D.C. 20005

202 326-8903 Phone 202 408-8745 Fax

April 21, 2005

Tim Stelzig
Wireline Competition Bureau
Federal Communications Commission
Washington, DC 20554

Re: Notification Under Section 64.2009(f)

Dear Mr. Stelzig:

SBC Services, Inc. ("SBC"), on behalf of Southwestern Bell Telephone L.P., and the Ameritech Operating Companies, hereby files this notice pursuant to Section 64.2009(f) of the Commission's rules. The information provided in this notice is based upon facts known as of the date of this letter. SBC will advise the Commission of any material changes to the facts disclosed herein or any additional facts that warrant disclosure.

#### **SUMMARY**

Compliance with state and federal requirements is a top priority for SBC. To ensure compliance, SBC has two organizations — Regulatory Compliance and Audit Services — whose responsibilities include confirming whether SBC complies with various state and federal rules. At the request of Regulatory Compliance, Audit Services initiated an internal audit of certain CPNI processes. During the internal audit, and subsequent investigation to confirm that SBC's CPNI processes comply with state and federal rules, SBC determined, on April 14, 2005, that it may have accessed CPNI of certain new customers who did not receive CPNI opt-out notice. Specifically, three problems were identified regarding SBC's opt-out approval process for new consumer acquisition customers.<sup>1</sup>

1. Missouri, Oklahoma, Kansas, and Arkansas ("MOKA states"). On October 22, 2004, SBC switched to a new bill format that could not accommodate CPNI

<sup>&</sup>lt;sup>1</sup> For purposes of this notice, new consumer acquisition customers are consumer single-line residential customers.

opt-out information. Accordingly, SBC elected to send such information in the confirmation letter sent to all new customers and so instructed its external vendor responsible for packaging and delivering the confirmation letter. As a result of misunderstanding and a lack of effective follow-up between SBC and its vendor, the vendor did not include the CPNI opt-out notice in the order confirmation letter.

- 2. MOKA States and Texas. SBC did not notify its external vendor to include the opt-out notice in the welcome letter sent to All Distance service (local and long-distance) customers. As a result, between October 22, 2004 and April 13, 2005, new consumer acquisition customers subscribing to the All Distance service did not receive CPNI opt-out notice.
- 3. Illinois, Indiana, Michigan, Ohio and Wisconsin ("Midwest Region"). SBC did not correctly implement each of the FCC's electronic CPNI opt-out notification requirements that took effect in September 2002, and thus did not provide proper electronic CPNI opt-out notice to new consumer customers in the Midwest Region that elected to be notified via e-mail. Beginning January 2004, SBC failed to provide any electronic opt-out notice to new customers in the Midwest Region.

As a result of the foregoing errors, SBC may have used certain customers' CPNI to market additional SBC services (different category of services) without obtaining proper CPNI approval. To remedy this problem, SBC is in the process of identifying affected customers, and, upon identification, will treat such customers as CPNI No customers, unless and until it receives CPNI approval. SBC will also remove the identified affected customers from all outbound telemarketing campaigns, direct mail advertising and email advertising lists, and SBC will revise its opt-out procedures to correct any gaps and ensure that, on a going forward basis, all customers receive proper opt-out notices.

#### **SPECIFIC RESPONSE**

Section 64.2009(f) of the Commission's rules states:

Carriers must provide written notice within five business days to the Commission of any instance where the opt-out mechanisms do not work properly, to such a degree that consumers' inability to opt-out is more than an anomaly.

(1) The notice shall be in the form of a letter, and shall include the carrier's name, a description of the opt-out mechanism(s) used, the problem(s) experienced, the remedy proposed and when it will be/was implemented, whether the relevant state commission(s) has been notified and whether it has taken any action, a copy of the notice provided to customers, and contact information.

#### 1. Carrier's name and contact information

The SBC entities affected are: Southwestern Bell Telephone L.P. and the Ameritech Operating Companies. You may contact Davida Grant at (202) 326-8903 for inquiries regarding this notice.

### 2. <u>Description of the opt-out mechanism(s) used and the problems</u> experienced

#### a. Problems Regarding CPNI Notices in MOKA States

SBC's Audit Services organization ("Audit Services") conducts internal audits, including audits to confirm SBC's compliance with various state and federal regulations. At the request of Regulatory Compliance, in early 2005, Audit Services elected to initiate an audit of SBC's CPNI processes in certain areas to verify SBC's compliance with federal and state CPNI rules. As a result of that audit, and based on additional investigation by the SBC Consumer Marketing and Regulatory Compliance organizations, SBC determined on April 14, 2005, that one of its external vendors failed to include opt-out notices in confirmation letters sent to certain new consumer acquisition customers in the Southwest region, and SBC may have used their CPNI to market SBC services without first obtaining CPNI approval. The specific facts are detailed below.

SBC has implemented policies and procedures to obtain opt-out approval from all new consumer acquisition customers. Consistent with the Commission's rules, SBC's internal procedures require SBC to send opt-out notices to all new customers, to wait 40-days after the date such notices are sent for a response, and to treat all customers that do not opt-out within the 40-day period as "CPNI Yes" customers. For CPNI Yes customers, SBC may proactively market communications-related services offered by the SBC family of companies on inbound and outbound telemarketing calls, and in direct mail and email advertising.

In early 2004, SBC reviewed its then-existing bill format and determined that the bill should be revised to make it more consumer friendly. In particular, the existing bill format was too lengthy. SBC thus decided to switch to a new bill format, which would shorten the bill for the benefit of consumers. Because the CPNI opt-out notice could not be shortened to conform to the new bill format, SBC decided to remove the opt-out notice from the bill. Beginning October 22, 2004, coincident with the introduction of the new bill format, SBC revised its procedures to include the opt-out notice in confirmation letters<sup>2</sup> sent to all new consumer acquisition customers in MOKA states and Texas.

SBC uses an external vendor, RR Donnelley, to package and deliver confirmation letters in the Southwest region to consumer single line accounts. SBC prepared the CPNI opt-out notice and on October 11, 2004 directed RR Donnelley in writing to include the notice in the confirmation letters for all the Southwest states. The notice was to be sent

<sup>&</sup>lt;sup>2</sup> Confirmation letters confirm the customer's order and include all terms and conditions regarding the service requested.

as a stand-alone document in the MOKA states and, in Texas, was to be added to the Texas Terms and Conditions document, which is included with the confirmation letter. Notwithstanding SBC's initial instruction to the vendor, R.R. Donnelley misunderstood follow-up communications, which referred only to the Texas Terms and Conditions document, and, accordingly, did not include the CPNI opt-out notice in the confirmation letters sent to new consumer acquisition customers in the MOKA states. SBC failed to appropriately follow-up with R.R. Donnelley to confirm that the opt-out notice was included in all confirmation letters. Between October 22, 2004 and April 13, 2005, SBC did not provide opt-out notice to new consumer acquisition customers in the MOKA states.

#### b. Problems Regarding CPNI Notices Relating to All Distance Package Customers in MOKA States and Texas

In addition, in March 2004, SBC revised its confirmation process in the Southwest region for new consumer acquisition customers that signed up for the All Distance service (local and long-distance). Prior to that time, new consumer acquisition customers signing up for that service received three confirmation letters: the telephone company confirmation letter (from SBC or RR Donnelley), the SBC Long Distance confirmation letter, and the All Distance welcome letter (packaged and delivered by Aspen Marketing Services ("Aspen"), an external vendor). To reduce the duplication, SBC revised it processes so that new consumer acquisition customers that subscribed to the All Distance service would receive only a revised All Distance welcome letter, which, going forward, was to be updated to include all relevant new connect information for the service, including the CPNI opt-out notice. SBC failed to instruct Aspen to include the CPNI opt-out notice in the All Distance welcome letter. However, because the opt-out notice was still included in the first bill, new acquisition All Distance customers continued to receive the opt-out notice between March 2004 and October 21, 2004. When, on October 22, 2004, SBC removed the opt-out notice from customer bills, new All Distance customers ceased receiving opt-out notices. Thus, between October 22, 2004 and April 13, 2005, SBC did not provide opt-out notice to All Distance customers in the Southwest states.

The total number of new customers affected by the errors described in Sections 2a and 2b above in the MOKA states and Texas between October 22, 2004 and April 13, 2005 is approximately 350,000.

#### c. Electronic Opt-out Notice Error in Midwest Region

As a result of the foregoing discovery, over the last few days, SBC initiated an internal investigation of its CPNI opt-out approval processes in all regions. SBC determined that in the Midwest region it did not revise its electronic opt-out notice procedures to comply with the FCC's electronic opt-out approval requirements that took effect on September 20, 2002.

Prior to that time, SBC Midwest implemented an electronic opt-out approval process, consistent with the Commission's *CPNI Clarification Order* issued September 7,

2001.<sup>3</sup> Under that process, SBC provided new consumer acquisition customers that elected to handle their transactions via e-mail electronic confirmations ("e-Confirmations") of their service order. The e-Confirmation permitted those customers to access SBC's CPNI opt-out approval notice via multiple links, and the notice directed customers to call a toll-free number within 30 days to opt-out.

On September 20, 2002, the FCC's new electronic opt-out approval requirements took effect, requiring carriers that provide electronic opt-out notices to, among other things: (1) allow customers to reply directly to the e-mail to opt-out, and (2) ensure that the subject line of the e-mail clearly identifies the subject matter of the e-mail (i.e. CPNI). SBC did not revise its electronic opt-out approval process to comply with the foregoing requirements and, instead, continued to use the e-Confirmation previously described. That confirmation did not identify CPNI in the subject line, and did not itself include the CPNI opt-out notice. Rather, the e-Confirmation included a link to important legal disclosures. When the customer accessed that page, they were directed to click another link to learn about SBC's policy for gathering and using customer information. The third page provided the CPNI opt-out notice, but did not permit the customer to reply directly. Instead, the customer was directed to dial a toll-free number to opt-out.

In January 2004, SBC omitted the link to important legal disclosures. Consequently, after January 2004, new consumer acquisition customers receiving e-Confirmations were not provided CPNI opt-out notification via any links.

SBC is in the process of investigating whether it sent out proper electronic opt-out notices in all regions and will advise the Commission of any additional material facts.

#### 3. The remedy proposed and when it will be/was implemented

a. Proposed Remedies Regarding Problems Identified in Section 2a and 2b

Once the problems identified in Sections 2a and 2b above regarding CPNI notices in the MOKA states and Texas were confirmed on April 14, 2005, SBC took immediate action to remedy the problem. Beginning April 14, 2005, SBC initiated internal procedures to treat all affected customers as CPNI No, which means SBC will not use or access their CPNI to market communications-related services outside of the category of services to which they subscribe until it has received proper opt-out authorization from those customers. SBC completed this change for all affected customers by April 19, 2005.

By April 21, 2005, SBC will send affected customers opt-out notices. SBC has determined that there are approximately 169,000 affected customers to which opt-out notice should be sent (the remaining affected customers have either disconnected their service or have given affirmative CPNI consent or denial to SBC). After sending the opt-

<sup>&</sup>lt;sup>3</sup> Telecommunications Carriers' Use of Customer Proprietary Network Information and Other Customer Information, Clarification Order, CC Docket No. 96-149 (rel. Sept. 7, 2001).

<sup>&</sup>lt;sup>4</sup> Some of the affected customers subsequently gave SBC opt-in approval to use their CPNI. Additionally, some of the affected customers have disconnected from SBC. SBC has excluded these customers from all remedial actions taken.

out notice to these customers, SBC will wait the minimum period before treating the customers as CPNI Yes.

Additionally, to prevent the unauthorized use of CPNI during the waiting period, SBC, on April 14, 2005, initiated action to remove the affected customers from all outbound telemarketing campaigns, direct mail and email marketing lists. SBC completed the removal by April 19, 2005.

Further, on April 14, 2005, SBC provided new instructions to its external vendors to include the opt-out notice in the confirmation letters previously described. Thus all new customers acquired on or after April 14, 2005 will receive CPNI opt-out notification in the relevant confirmation letters.

Finally, SBC is in the process of implementing a series of internal procedures to better assure that the error does not occur again. Today, instructions to external vendors may be oral or in writing. SBC is revising its procedures to require that all instructions to external vendors that relate to CPNI opt-out notices must be in writing. Further, whenever there is a change made to the confirmation letter(s), SBC will require an employee to review with the vendor a sample package of the confirmation letter(s) for each state to confirm that the CPNI notice, and all other required terms and conditions are included in the package. SBC will also reinforce its CPNI training for relevant employees.

#### b. Proposed Remedies Regarding Problems Identified in Section 2c Regarding Electronic Opt-out Notice Error

Based on our investigation to date, SBC is initiating a series of preliminary procedures to remedy problems identified in Section 2c above regarding electronic optout notices in the SBC Midwest states. SBC is in the process of identifying as many of the affected customers as possible. As in the case of the proposed remedies described above, SBC intends to treat the identified affected customers as CPNI No, unless and until it receives CPNI approval. SBC will send all identified affected customers opt-out notices (less those customers that SBC can demonstrate have disconnected from SBC or have provided SBC opt-in consent). Additionally, SBC is examining its training materials and will provide additional training for those management employees that handle electronic communications containing opt-out information. In particular, the training material will emphasize both the general CPNI requirements and the specific CPNI requirements regarding obtaining opt-out notices via email communications. SBC is also continuing its review of this potential problem in the other SBC regions and will implement any additional remedies necessary to address identified problems.

## 4. Have the relevant state commissions been notified and if so have they taken any action.

SBC will make all required notifications to the relevant state public utility commissions.

#### 5. A copy of the notice provided to customers

A copy of the opt-out notices SBC provided to the affected customers in the MOKA states and Texas is attached. We will forward a copy of the opt-out notice we will send to affected customers in the Midwest Region within the next two weeks.

Please contact me if you have any questions regarding this information.

Davida Grant



### AN IMPORTANT MESSAGE FROM SBC TELECOMMUNICATIONS CARRIERS ABOUT THE PRIVACY OF YOUR CUSTOMER INFORMATION

SBC telecommunications carriers would like to share your customer information with other affiliates in the SBC family of companies for the purpose of using that information to offer you additional products and services that might be of interest to you or save you money. Your customer information (also known as CPNI) includes the types of telecommunications services you currently purchase, how you use them, and the related billing for those services. For example, we might use your local service CPNI to offer you SBC Yahoo! DSL Internet access service or SBC Long Distance service, even though you do not currently do business with those SBC affiliates. We also use CPNI to offer discounts based on the total amount you spend with the SBC family of companies.

Protecting the confidentiality of your CPNI is your right and our duty under federal and state law. To grant the SBC family of companies access to your CPNI for the purposes outlined above, no further action is required on your part. If you wish to deny such access, you should call 1-800-315-8303 and follow the prompts within 30 days of receiving this notice. Restricting our use of your CPNI will not affect the provision of any SBC products or services to which you currently subscribe, nor will it completely eliminate other types of marketing contacts. Your decision to permit or restrict our use of your CPNI will remain in effect until you change it, which you can do at any time and at no charge by calling the number above.

SBC, its affiliates and authorized agents will not sell, trade, or share your CPNI with anyone outside of the SBC family of companies, or others authorized to represent us to offer products and services, except as authorized by law.

Thank you for choosing SBC products and services.

#### UN MENSAJE IMPORTANTE SOBRE LA PRIVACIDAD DE SUS DATOS DE CLIENTE

Las compañías de telecomunicaciones de SBC quisieran compartir su información de cliente con otras afiliadas en la familia de compañías de SBC a fin de usar esa información para ofrecerle otros productos y servicios que podrían interesarle o ahorrarle dinero. Sus datos de cliente (también conocidos por sus siglos en inglés como CPNI) incluyen los tipos de servicios de telecomunicaciones que actualmente compra, cómo los usa y la facturación que corresponde a esos servicios. Por ejemplo, podríamos usar el CPNI de su servicio local para ofrecerle el servicio de acceso a Internet SBC Yahoo! DSL o servicio de SBC Long Distance aunque actualmente no trate con esas afiliadas. También usamos su CPNI para ofrecerle descuentos de acuerdo al monto total que gasta con la familia de compañías de SBC.

Proteger la confidencialidad de su CPNI es su derecho y nuestro deber bajo la ley federal y estatal. Para otorgar acceso a su CPNI a la familia de compañías de SBC para los propósitos resumidos arriba, no necesita hacer nada más de su parte. Si desea negar dicho acceso, debe llamar al 1-800-315-8303 y seguir las indicaciones grabadas dentro de 30 días de haber recibido este aviso. El hecho de restringir el uso de su CPNI no afectará la prestación de cualquier producto o servicio de SBC al cual se suscriba actualmente, tampoco eliminará por completo otros tipos de contactos de mercadeo. Su decisión de permitir o restringir el uso de su CPNI seguirá en efecto hasta que usted la cambie, lo que puede hacer en cualquier momento sin cargo alguno llamando al número indicado arriba.

SBC, sus afiliadas y agentes autorizados no venderán, intercambiarán ni compartirán su CPNI con nadie más fuera de la familia de compañías de SBC u otras entidades autorizadas para representarnos a fin de ofrecerle productos y servicios, salvo como la ley lo autorice.

Gracias por preferir los productos y servicios de SBC.



April 20, 2005

<<Name>>
<<Address Line 1>>
<<Address Line 2>>
<<City, State ZIP>>

Dear <<Name>>:

### WE HAVE AN IMPORTANT MESSAGE FROM SBC TELECOMMUNICATIONS CARRIERS ABOUT THE PRIVACY OF YOUR CUSTOMER INFORMATION

SBC telecommunications carriers would like to share your customer information with other affiliates in the SBC family of companies for the purpose of using that information to offer you additional products and services that might be of interest to you or save you money. Your customer information (also known as CPNI) includes the types of telecommunications services you currently purchase, how you use them, and the related billing for those services. For example, we might use your local service CPNI to offer you SBC Yahoo! DSL Internet access service or SBC Long Distance service, even though you do not currently do business with those SBC affiliates. We also use CPNI to offer discounts based on the total amount you spend with the SBC family of companies.

Protecting the confidentiality of your CPNI is your right and our duty under federal and state law. To grant the SBC family of companies access to your CPNI for the purposes outlined above, no further action is required on your part. If you wish to deny such access, you should call 1(800) 315-8303 and follow the prompts within 30 days of receiving this notice. Restricting our use of your CPNI will not affect the provision of any SBC products or services to which you currently subscribe, nor will it completely eliminate other types of marketing contacts. Your decision to permit or restrict our use of your CPNI will remain in effect until you change it, which you can do at any time and at no charge by calling the number above.

SBC, its affiliates and authorized agents will not sell, trade, or share your CPNI with anyone outside of the SBC family of companies, or others authorized to represent us to offer products and services, except as authorized by law.

#### SBC TEXAS TERMS AND CONDITIONS

Thank you for choosing SBC Texas for your communications needs. At SBC Texas, we take pride in providing quality service and customer assistance, and we have taken many steps to ensure your satisfaction.

As a service to our customers, and in compliance with the requirements of the Public Utility Commission of Texas, we want to provide you with this information concerning the terms and conditions of service.

- Rates and charges for services: A complete itemization of your rates and charges can be found in the Monthly Service Itemization section under the "Other Charges" section of your first telephone bill.
- Full description of each product or services ordered: These are identified on your bill; however, for additional information on the services ordered, you may reference the EasyOptions section of your SBC Texas Telephone directory or visit our website at <a href="mailto:sbc.com">sbc.com</a>.
- Charges for late payment and returned checks: A late payment charge of \$5.00 is applicable if charges greater than \$10.00 is carried over to your next bill. This information can be found in the Payment Information section of your telephone bill. There is a \$25.00 charge for returned checks if late payment or returned check charges are applicable, they can be found in the Other Charges section and Monthly Statement section of the telephone bill.
- Applicable minimum contract service terms and early termination fees: If you have signed a
  contract for a minimum term, you should have received a contract with the terms, conditions and
  applicable termination fees. If you have not received this contract, please call us at 1-800-5597928.
- Deposits and advance payments: If a deposit or advance payment has been paid, the advance
  payment will appear in the Monthly Statement section of your first telephone bill and the deposit
  will appear in the Payment Information section of your first telephone bill. Information on interest
  accrual and refunds of deposit can be found in the "Your Rights as a Customer" section of the SBC
  Texas Telephone Directory. \*Additional costs may apply if jack installation is required.
- Applicable construction charges: If your service required construction charges, you would have already received and signed a contract before service is installed. If this is applicable to you and you have not received and signed a contract, please call us at 1-800-585-7928.
- Telephone number assignment changes: Your correct telephone number is reflected on your first telephone bill.
- Cancellation Policy: Unless you have a minimum service contract term, as described above, you may terminate your service at any time, subject to a minimum one-month's billing as set forth in our tariffs. If you have a minimum contract agreement, refer to your contract.

### CHARGES ON YOUR TELEPHONE BILL — YOUR RIGHTS AS A CUSTOMER

Placing charges on your phone bill for products or services without your authorization is known as "cramming" and is prohibited by law. Your telephone company may be providing billing services for other companies, so other companies charges may appear on your telephone bill.

If you believe you were "crammed," you should contact the telephone company that bills you for your telephone service and request that it take corrective action. The Public Utility Commission of Texas requires the billing telephone company to do the following within 45 days of when it learns of the unauthorized charge:

- notify the service provider to cease charging you for the unauthorized product or service;
- remove any unauthorized charge from your bill;
- refund or credit all money to you that you have paid for an unauthorized charge; and
- Upon your request, provide you with all billing records related to any unauthorized charge within 15 business days after the charge is removed from your telephone bill.

If the company fails to resolve your request, or if you would like to file a complaint, please write or call the Public Utility Commission of Texas, PO Box 13326, Austin, Texas 78711-3326, (512) 936-7120 or toll-free in Texas at (888) 782-8477. Hearing and speech-impaired individuals with text telephones (TTY) may contact the commission at (512) 936-7136.

Your phone service cannot be disconnected for disputing or refusing to pay unauthorized charges.

You may have additional rights under state and federal law. Please contact the Federal Communications Commission, the Attorney General of Texas, or the Public Utility Commission of Texas if you would like further information about possible additional rights.

#### SELECTING A TELEPHONE COMPANY - YOUR RIGHTS AS A CUSTOMER

Telephone companies are prohibited by law from switching you from one telephone service provider to another without your permission, a practice commonly known as "slamming."

If you are slammed, Texas law requires the telephone company that slammed you to do the following:

- 1. Pay all charges associated with returning you to your original telephone company within <u>five</u> <u>business days</u> of your request.
- Provide all billing records to your original telephone company within <u>ten business days</u> of your request.
- 3. Pay your original telephone company the amount you would have paid if you had not been slammed.
- 4. Refund to you within 30 business days any amount you paid for charges during the first 30 days after the slam and any amount more than what you would have paid your original telephone company for charges after the first 30 days following the slam.

Your original telephone company is required to provide you with all the benefits, such as frequent flyer miles, you would have normally received for your telephone use during the period in which you were slammed.

If you have been slammed, you can change your service immediately back to your original provider by calling your local telephone company. You should also report the slam by writing or calling the Public Utility Commission of Texas, P.O. Box 13326, Austin, Texas 78711-3326, (512) 936-7120 or in Texas (toll-free) 1 (888) 782-8477, fax: (512) 936-7003, e-mail address: <a href="mailto:customer@puc.state.tx.us">customer@puc.state.tx.us</a>. Hearing and speech-impaired individuals with text telephones (TTY) may contact the commission at (512) 936-7136.

You can prevent slamming by requesting a preferred telephone company freeze from your local telephone company. With a freeze in place, you must give formal consent to "lift" the freeze before your phone service can be changed. A freeze may apply to local toll service, long distance service, or both. The Public Utility Commission of Texas can give you more information about freezes and your rights as a customer.

For questions regarding any of our products or services, please call 1-800-585-7928 or visit us online at sbc.com.



## UN MENSAJE IMPORTANTE SOBRE LA PRIVACIDAD DE SUS DATOS DE CLIENTE

Las compañías de telecomunicaciones de SBC quisieran compartir su información de cliente con otras afiliadas en la familia de compañías de SBC a fin de usar esa información para ofrecerle otros productos y servicios que podrían interesarle o ahorrarle dinero. Sus datos de cliente (también conocidos por sus siglos en inglés como CPNI) incluyen los tipos de servicios de telecomunicaciones que actualmente compra, cómo los usa y la facturación que corresponde a esos servicios. Por ejemplo, podríamos usar el CPNI de su servicio local para ofrecerle el servicio de acceso a Internet SBC Yahoo! DSL o servicio de SBC Long Distance aunque actualmente no trate con esas afiliadas. También usamos su CPNI para ofrecerle descuentos de acuerdo al monto total que gasta con la familia de compañías de SBC.

Proteger la confidencialidad de su CPNI es su derecho y nuestro deber bajo la ley federal y estatal. Para otorgar acceso a su CPNI a la familia de compañías de SBC para los propósitos resumidos arriba, no necesita hacer nada más de su parte. Si desea negar dicho acceso, debe llamar al 1(800) 315-8303 y seguir las indicaciones grabadas dentro de 30 días de haber recibido este aviso. El hecho de restringir el uso de su CPNI no afectará la prestación de cualquier producto o servicio de SBC al cual se suscriba actualmente, tampoco eliminará por completo otros tipos de contactos de mercadeo. Su decisión de permitir o restringir el uso de su CPNI seguirá en efecto hasta que usted la cambie, lo que puede hacer en cualquier momento sin cargo alguno llamando al número indicado arriba.

SBC, sus afiliadas y agentes autorizados no venderán, intercambiarán ni compartirán su CPNI con nadie más fuera de la familia de compañías de SBC u otras entidades autorizadas para representarnos a fin de ofrecerle productos y servicios, salvo como la ley lo autorice.

#### SBC TEXAS DECLARACIÓN DE TÉRMINOS Y CONDICIONES

Gracias por preferir a SBC Texas para su servicio de comunicaciones. En SBC Texas, nos enorgullece prestar servicio y ayuda de calidad al cliente y hemos tomado muchas medidas para asegurar su satisfacción.

Como un servicio a nuestros clientes y conforme a los requisitos de la Comisión de Empresas de Servicio Público de Texas, queremos darle esta información sobre los términos y condiciones de servicio.

- Tarifas y cargos de servicios: Puede encontrar un detalle completo de sus tarifas y cargos en la sección "Servicio Mensual Detallado" bajo la sección "Otros Cargos" de su primera factura telefónica.
   \* Puede que apliquen costos adicionales si se requiere la instalación de enchufe.
- Descripción completa de cada producto o servicios ordenados: Estos se identifican en su factura, pero para obtener más información sobre los servicios que ordenó, puede consultar la sección EasyOptions del directorio de SBC Texas Telephone o visitar nuestro sitio Web en sbc.com.
- Cargos por pagos atrasados y cheques devueltos: Se aplica un cargo de \$5.00 por pagos atrasados si estos exceden \$10.00 y se pasan a su siguiente factura. Esta información se encuentra en la sección "Información Sobre Pagos" de su factura telefónica. Hay un cargo de \$25.00 por cheques devueltos. Si se aplican cargos por pago atrasado o cheques devueltos, puede encontrarlos en la sección "Otros Cargos" y la sección "Estado de Cuenta Mensual" de la factura telefónica.

- Plazos contractuales de servicio mínimos y cuotas por cancelación anticipada correspondientes: Si firmó un contrato por un plazo mínimo, debió haber recibido un contrato con los términos, condiciones y las cuotas de cancelación que corresponden. Si no ha recibido este contrato, por favor llámenos al 1-800-559-7928.
- Depósitos y anticipos: Si pagó un depósito o anticipo, el anticipo aparecerá en la sección "Estado de Cuenta Mensual" de su primera factura telefónica y el depósito aparecerá en la sección "Información Sobre Pagos" de su primera factura telefónica. Puede encontrar información sobre la acumulación de intereses y el reembolso de depósitos en la sección "Sus Derechos Como Cliente" en el directorio de SBC Texas Telephone.
- Cargos de construcción correspondientes Si su servicio requirió cargos de construcción, ya debió haber recibido y firmado un contrato antes de instalarse el servicio. Si esto aplica a usted y no ha recibido y firmado un contrato, por favor llámenos al 1-800-585-7928.
- Cambios de asignación de número telefónico Su número telefónico correcto se incluye en su primera factura telefónica.
- Política de cancelación Salvo que tenga un plazo de servicio contractual mínimo, como se describe más arriba, puede cancelar su servicio en cualquier momento, sujeto al cobro mínimo de un mes conforme se dispone en nuestras tarifas. Si tiene un acuerdo contractual mínimo, consulte su contrato.

#### LOS CARGOS EN SU FACTURA TELEFÓNICA SUS DERECHOS COMO CLIENTE

El cobro de cargos en su factura telefónica por productos o servicios que usted no autorizó se llama "Cramming" y está prohibido por ley. Es posible que su compañía telefónica preste servicios de facturación a otras compañías, así que los cargos de otras compañías pueden aparecer en su factura telefónica.

Si cree haber sido víctima de "cramming", debe comunicarse con la compañía telefónica que le cobra por su servicio telefónico y pedirle que tome medidas correctivas. La Comisión de Empresas de Servicio Público de Texas exige que la compañía telefónica cobradora tome las siguientes medidas dentro de 45 días de la fecha en que se entere del cargo no autorizado:

- notificar a la compañía que deje de cobrarle por el producto o servicio no autorizado;
- retirar cualquier cargo no autorizado de su factura;
- reembolsar o acreditar todo el dinero que usted haya pagado por un cargo no autorizado; y
- a solicitud, darle todos los archivos de facturación relacionados con cualquier cargo no autorizado dentro de 15 días después de que el cargo se retire de su factura telefónica.

Si la compañía no logra resolver su solicitud o si usted desea presentar una queja, por favor escriba o llame a la Public Utility Commission of Texas, P.O. Box 13326, Austin, Texas 78711-3326, (512) 936-7120 o gratis en Texas al (888) 782-8477. Las personas con impedimentos auditivos y del habla que usan teléfonos de texto (TTY, por sus siglas en inglés) pueden comunicarse con la comisión al (512) 936-7136.

No se puede desconectar su servicio telefónico si usted disputa o rehusa pagar cargos que no autorizó.

Puede tener derechos adicionales bajo la ley estatal y federal. Por favor comuniquese con la Comisión Federal de Comunicaciones, la Procuraduría General de Texas o la Comisión de Empresas de Servicio Público de Texas si desea más información sobre estos posibles derechos adicionales.

#### LA SELECCIÓN DE UNA COMPAÑÍA TELEFÓNICA — SUS DERECHOS COMO CLIENTE

La ley prohibe que las compañías telefónicas le cambien de una compañía de servicio telefónico a otra sin su permiso, una práctica comúnmente conocida como "slamming".

Si usted es víctima de slamming, la ley de Texas exige que la compañía telefónica que cambió su servicio sin autorización haga lo siguiente:

- 1. Pagar todos los cargos relacionados con su regreso a la compañía telefónica original dentro de cinco días hábiles de su solicitud.
- 2. Dar a su compañía telefónica original todos los datos de facturación dentro de <u>diez días hábiles</u> de su solicitud.
- 3. Pagar a su compañía telefónica original el monto que usted hubiera pagado si no se hubiera cambiado su servicio sin su autorización.
- 4. Reembolsarle dentro de 30 días hábiles todo monto que usted pagó por cargos durante los primeros 30 días después del cambio no autorizado y cualquier cantidad excedente a la cantidad que usted hubiera pagado a su compañía telefónica original por cargos después de los primeros 30 días posteriores al cambio no autorizado.

Su compañía telefónica original está obligada a darle todos los beneficios, como millas de viajero frecuente, que usted normalmente recibiría por usar su teléfono durante el período en que ocurrió el cambio no autorizado.

Si ha sido víctima de slamming, puede regresar su servicio a la compañía original inmediatamente al comunicarse con su compañía telefónica local. También debe reportar el cambio no autorizado por escrito o por teléfono a la Public Utility Commission of Texas, P.O. Box 1336, Austin, Texas 78711-3326, (512) 936-7120 o en Texas (una llamada gratis) al 1(888) 782-8477, fax: (512) 936-7003, dirección de e-mail: <a href="mailto:customer@puc.state.tx.us">customer@puc.state.tx.us</a>. Las personas con impedimentos auditivos o del habla que usan teléfonos de texto (TTY, por sus siglas en inglés) pueden comunicarse con la comisión al (512) 936-7136.

Puede prevenir los cambios no autorizados al solicitar que su compañía telefónica local congele la compañía telefónica que usted prefiere. Una vez establecida la congelación, tiene que dar su consentimiento formal para quitar la congelación antes de que se pueda cambiar su servicio telefónico. La congelación puede aplicarse al servicio de llamadas locales con cargo, de larga distancia o a ambos. La Comisión de Empresas de Servicio Publico de Texas puede darle más información sobre la congelación y sus derechos como cliente.

Tome en cuenta: Puede obtener una versión en ingles de esta carta solicitándola al 1-800-585-7928.

Si tiene preguntas sobre nuestros productos o servicios, por favor llame al 1-800-585-7928 o consulte nuestro sitio Web en sbc.com.

# ATTACHMENT B

(Midwest CPNI Notices)

#### Midwest Consumer (IL, IN, MI, OH, WI)

SBC Midwest Operating Companies\* previously sent you a notice regarding Customer Proprietary Network Information (CPNI) and how your customer information about the services you purchased from SBC Midwest Operating Companies can be used to offer you certain additional products and services. Your customer information includes the types of services you purchase, how you use them, and the related billing of those services. SBC Midwest Operating Companies currently has your permission to use your customer information to advise you of products that may be of interest to you, like SBC Yahoo, DSL or SBC Long Distance, even if you do not currently have any services from those SBC affiliates.

#### YOUR RIGHTS

Protecting the privacy of your service and usage records is your right and our duty under federal law. SBC Midwest Operating Companies, its affiliates and authorized agents must ask your permission before using your CPNI to market products and services to you which you are not currently purchasing from us. If you would like to continue to give us permission to use your CPNI, then you do not need to do anything. If you decide you do not want SBC Midwest Operating Companies to use your customer information to offer products and services, simply call 800-303-7260 at any time. There is no charge for restricting your information and your election is valid until you affirmatively revoke it. Restricting your information will not affect your current service and may not eliminate all marketing contacts.

<sup>\*</sup>Local services provided by SBC Illinois, SBC Indiana, SBC Michigan, SBC Ohio or SBC Wisconsin based upon the service address location

#### Midwest Complex Business (IL, IN, MI, OH, WI) Biennial Notice

SBC Midwest Operating Companies\* previously sent you a notice regarding Customer Proprietary Network Information (CPNI) and how your customer information about the services you purchased from SBC Midwest Operating Companies can be used to offer you certain additional products and services. Your customer information includes the types of services you purchase, how you use them, and the related billing of those services. SBC Midwest Operating Companies currently has your permission to use your customer information to advise you of products that may be of interest to you, like SBC Yahoo, DSL or SBC Long Distance, even if you do not currently have any services from those SBC affiliates.

#### YOUR RIGHTS

Protecting the privacy of your service and usage records is your right and our duty under federal law. SBC Midwest Operating Companies, its affiliates and authorized agents must ask your permission before using your CPNI to market products and services to you which you are not currently purchasing from us. If you would like to continue to give us permission to use your CPNI, then you do not need to do anything. If you decide you do not want SBC Midwest Operating Companies to use your customer information to offer products and services, simply call 800-660-3084 at any time. There is no charge for restricting your information and your election is valid until you affirmatively revoke it. Restricting your information will not affect your current service and may not eliminate all marketing contacts.

\*Local services provided by SBC Illinois, SBC Indiana, SBC Michigan, SBC Ohio or SBC Wisconsin based upon the service address location

#### Midwest Non-Complex Business (IL, IN, MI, OH, WI) Biennial Notice

SBC Midwest Operating Companies previously sent you a notice regarding Customer Proprietary Network Information (CPNI) and how your customer information about the services you purchased from SBC Midwest Operating Companies can be used to offer you certain additional products and services. Your customer information includes the types of services you purchase, how you use them, and the related billing of those services. SBC Midwest Operating Companies currently has your permission to use your customer information to advise you of products that may be of interest to you, like SBC Yahoo, DSL or SBC Long Distance, even if you do not currently have any services from those SBC affiliates.

#### YOUR RIGHTS

Protecting the privacy of your service and usage records is your right and our duty under federal law. SBC Midwest Operating Companies, its affiliates and authorized agents must ask your permission before using your CPNI to market products and services to you which you are not currently purchasing from us. If you would like to continue to give us permission to use your CPNI, then you do not need to do anything. If you decide you do not want SBC Midwest Operating Companies to use your customer information to offer products and services, simply call 800-660-3085 at any time. There is

no charge for restricting your information and your election is valid until you affirmatively revoke it. Restricting your information will not affect your current service and may not eliminate all marketing contacts.

\*Local services provided by SBC Illinois, SBC Indiana, SBC Michigan, SBC Ohio or SBC Wisconsin based upon the service address location



P.O. Box 2266 uth San Francisco, CA 94083-9959



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SBC CALIFORNIA P.O. BOX 2266 SOUTH SAN FRANCISCO, CA 94083-9959



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#### AN IMPORTANT MESSAGE ABOUT THE PRIVACY OF YOUR CUSTOMER INFORMATION (CUSTOMER PROPRIETARY NETWORK INFORMATION OR CPNI)

The protection of our customer's privacy is of ultrost importance to the employees and management of SBC California and to the SBC family of companies. Please take a moment to read the following important message about the privacy of your customer information.

SBC California and its affiliated telecommunications carriers would like to share your customer proprietary network information (also known as CPNI) within the SBC family of companies for the purpose of using that information to offer you additional products and services that might be of interest to you or save you mones. Your CPN includes the types of telecommunications services you currently purchase, how you use them and the related billing for those services. For example, with your permission, we might use your local telephone service CPNI to offer you SBC Yahoo!\* DSL Internet access service or SBC Long Distance, even though you do not currently do business with those SBC affiliates. In addition, providing us permission to use your CPNI can save you valuable time. If you restrict our use of your CPNI, each time you call us, we must ask permission to view your CPNI so that we can properly advise you about products and services that may be useful or cost effective for you. We can't do that effectively without using information about the products and services you already have. By giving us your permission now, we can shorten your calls, and get right to your important business.

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Protecting the confidentiality of your CPNI is your right and our duty under federal law. The SBC family of companies does not sell your CPNI to anyone outside of the SBC family of companies, but, as an SBC customer, you can restrict the use of your CPNI even within the SBC family of companies. As an SBC customer, you have the following options available to you:

**Option 1:** To allow the SBC family of companies access to your CPNI for the purposes outlined above. no further action is required

Option 2: To deny such access, you should take one of the following actions:

- Submit an online form: Residential customers: www.sbc.com/epni\_residential
- Call 1-800-397-1887 24 hours a day, 7 days a week and follow the prompts; or
  Call 1-800-397-1887 24 hours a day, 7 days a week and follow the prompts; or
- Fill out and return the attached reply card.

Your decision to permit or restrict our use of CPNI will remain in effect until you change it, which you can do at any time, at no charge. Restricting our use of your CPNI will not affect the provision of any SBC products or services to which you currently subscribe, nor will it eliminate other types of marketing contacts.

SBC California will not sell, trade, or share your CPNI with anyone outside of SBC California, the SBC family of companies, or others authorized to represent us to offer our products or services, except as may be required by law.

Thank you for choosing SBC products and services. We appreciate your continued business.



SBC and the SBC logo are registered trademarks of SBC Knowledge Ventures, L.P. All other trademarks and service marks are the property of their respective owners.

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AN IMPORTANT MESSAGE ABOUT THE PRIVACY OF YOUR CUSTOMER INFORMATION (CUSTOMER PROPRIETARY NETWORK INFORMATION OR CPNI)

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The protection of our customer's privacy is of utmost importance to the employees and management of SBC Nevada and to the SBC family of companies. Please take a moment to read the following important message about the privacy of your customer information.

SBC Nevada and its affiliated telecommunications carriers would like to share your customer proprietary network information (also known as CPNI) within the SBC family of companies for the purpose of using that information to offer you additional products and services that might be of interest to you or save you money. Your CPNI includes the types of telecommunications services you currently purchase, how you use them and the related billing for those services. For example, with your permission, we might use your local telephone service CPNI to offer you SBC Yahoo!\* DSL Internet access service or SBC Long Distance, even though you do not currently do business with those SBC affiliates. In addition, providing us permission to use your CPN1 can save you valuable time. If you restrict our use of your CPNI, each time you call us, we must ask permission to view your CPNI so that we can properly advise you about products and services that may be useful or cost effective for you. We can't do that effectively without using information about the products and services you already have. By giving us your permi now, we can shorten your calls, and get right to your important business.

Protecting the confidentiality of your CPNI is your right and our duty under federal law. The SBC family of companies does not sell your CPNI to anyone outside of the SBC family of companies, but, as an SBC customer, you can restrict the use of your CPNI even within the SBC family of companies. As an SBC customer, you have the following options available to you

 $\textbf{Option 1:} \ To allow the SBC family of companies access to your CPNI for the purposes outlined above, no$ further action is required

Option 2: To deny such access, you should take one of the following actions:

- Submit an online form: Residential customers: sbe.com/epni\_residential - Business customers: sbc.com/cpni\_business
- Call I-877-469-2355 and speak to a Service Representative
- Call 1-500-397-1887 24 hours a day, 7 days a week and follow the prompts; or
- . Fill out and return the attached reply card.

Your decision to permit or restrict our use of CPNI will remain in effect until you change it, which you can do at any time, at no charge. Restricting our use of your CPNI will not affect the provision of any SBC products or services to which you currently subscribe, nor will it eliminate other types of marketing contacts.

SBC Nevada will not sell, trade, or share your CPNI with anyone outside of SBC Nevada, the SBC family of companies, or others authorized to represent us to offer our products or services, except as may be required by law.

Thank you for choosing SBC products and services. We appreciate your continued business



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We speak your language. Plus 150 more. Call 1-800-203-8600.

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**BUSINESS REPLY MAIL** 

SOUTH SAN FRANCISCO, CA 94083-9959

OSTAGE WILL BE PAID BY THE ADDRESSE

SBC CALIFORNIA P.O. BOX 2266



outh San Francisco, CA 94083-9959



**NO POSTAGE** NECESSARY IF MAILED IN THE UNITED STATES

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#### AN IMPORTANT MESSAGE ABOUT THE PRIVACY OF YOUR CUSTOMER INFORMATION (CUSTOMER PROPRIETARY NETWORK INFORMATION OR CPNI)

The protection of our customer's privacy is of utmost importance to the employees and management of SBC California and to the SBC family of companies. Please take a moment to read the following important message about the privacy of your customer information.

SBC California and its affiliated telecommunications carriers would like to share your customer proprietary network information (also known as CPNI) within the SBC family of companies for the purpose of using that information to offer you additional products and services that might be of interest to you or save you money. Your CPNI includes the types of telecommunications services you currently purchase, how you use them and the related billing for those services. For example, with your permission, we might use your local telephone service CPNI to offer you SBC Yahoo!\* DSL Internet access service or SBC Long Distance, even though you do not currently do business with those SBC affiliates. In addition, providing us permission to use your CPNI can save you valuable time. If you restrict our use of your CPNI, each time you call us, we must ask permission to view your CPNI so that we can properly advise you about products and services that may be useful or cost effective for you. We can't do that effectively without using information about the products and services you already have. By giving us your permission now, we can shorten your calls, and get right to your important business.

Protecting the confidentiality of your CPNI is your right and our duty under federal law. The SBC family of companies does not sell your CPNI to anyone outside of the SBC family of companies, but, as an SBC customer, you can restrict the use of your CPNI even within the SBC family of companies. As an SBC customer, you have the following options available to you:

**Option 1:** To allow the SBC family of companies access to your CPNI for the purposes outlined above, no further action is required

Option 2: To deny such access, you should take one of the following actions:

- Submit an online form: Business customers: sbc.com/cpm\_business
- Call 1-800-750-2355 and speak to a Service Representative;
- Call I-500-397-1887 24 hours a day, 7 days a week and follow the prompts; or
- Fill out and return the attached reply card.

Your decision to permit or restrict our use of CPNI will remain in effect until you change it, which you can do at any time, at no charge. Restricting our use of your CPNI will not affect the provision of any SBC products or services to which you currently subscribe, nor will it eliminate other types of marketing contacts.

SBC California will not sell, trade, or share your CPNI with anyone outside of SBC California, the SBC family of companies, or others authorized to represent us to offer our products or services, except as may be required by law.

Thank you for choosing SBC products and services. We appreciate your continued business.



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有關商業歷史的更計畫資訊 摘電1 000 000 6570。

M.M. jiết tháng chỉ liết, của gọi số 1-301-754-2578 cho Địch Vũ Thương bhui

#조되소용 전화에 대한 다 자세한 만대를 문화되면 1 900 390 DX(1호 전화해 주십시오)

We speak your language. Plus 150 more. Call 1-800-203-8600.

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**BUSINESS REPLY MAIL** 

SOUTH SAN FRANCISCO, CA 94083-9959

POSTAGE WILL BE PAID BY THE ADDRESSEE

SBC CALIFORNIA P.O. BOX 2266





NO POSTAGE NECESSARY IF MARLED IN THE UNITED STATES

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#### AN IMPORTANT MESSAGE ABOUT THE PRIVACY OF YOUR CUSTOMER INFORMATION (CUSTOMER PROPRIETARY NETWORK INFORMATION OR CPNI)

The protection of our customer's privacy is of utmost importance to the employees and management of SBC California and to the SBC family of companies. Please take a moment to read the following important message about the privacy of your customer information.

SBC California and its affiliated telecommunications carriers would like to share your customer proprietary network information (also known as CPNI) within the SBC family of companies for the purpose of using that information to offer you additional products and services that might be of interest to you or save you money. Your CPNI includes the types of telecommunications services you currently purchase, how you use them and the related billing for those services. For example, with your permission, we might use your local telephone service CPNI to offer you SBC Yahoo!x DSL Internet access service or SBC Long Distance, even though you do not currently do business with those SBC affiliates. In addition, providing us permission to use your CPNI can save you valuable time. If you restrict our use of your CPNI, each time you call us, we must ask permission to view your CPNI so that we can properly achise you about products and services that may be useful or cost effective for you. We can't do that effectively without using information about the products and services you already have. By giving us your permission now, we can shorten your calls, and get right to your important business.

Protecting the confidentiality of your CPNI is your right and our duty under federal law. The SBC family of companies does not sell your CPNI to anyone outside of the SBC family of companies, but, as an SBC customer, you can restrict the use of your CPNI even within the SBC family of companies. As an SBC customer, you have the following options available to you:

 $\textbf{Option 1:} \ To allow the SBC family of companies access to your CPNI for the purposes outlined above, no$ further action is required.

Option 2: To deny such access, you should take one of the following actions:

- Submit an online form: Business customers: sbc.com/cpni\_business
- . Call 1-800-841-0889 and speak to a Service Representative
- Call I-\$00-397-1587.24 hours a day, 7 days a week and follow the prompts; or
- . Fill out and return the attached reply card.

Your decision to permit or restrict our use of CPNI will remain in effect until you change it, which you can do at any time, at no charge. Restricting our use of your CPNI will not affect the provision of any SBC products or services to which you currently subscribe, nor will it eliminate other types of marketing contacts.

SBC California will not sell, trade, or share your CPNI with anyone outside of SBC California, the SBC family of companies, or others authorized to represent us to offer our products or services, except as may be required by law.

Thank you for choosing SBC products and services. We appreciate your continued business.



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비즈니스용 준희의 다양 다 자세층 양태를 끌어가면 1 900 300 (06 37)

We speak your language. Plus 150 more. Call 1-800-203-8600.

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# ATTACHMENT C

(East CPNI Notices)

#### RESIDENCE DECEMBER 2003 BILL MESSAGES

## AN IMPORTANT MESSAGE ABOUT CUSTOMER PROPRIETARY NETWORK INFORMATION ("CPNI")

Under federal law, The Southern New England Telephone Company and its affiliates in the SBC SNET family of companies (also referred to as "we" or "us") must ask your permission before using your CPNI to market to you products and services which you are not currently purchasing from us. CPNI includes information about the type, use, and billing of telecommunications services that you purchase from us. Protecting the privacy of your service and usage records is your right and our duty under federal law SBC SNET previously sent you a notice regarding your CPNI and, in accordance with federal law, we are sending you that notice again.

With your permission, we can use CPNI to offer you additional products and services that will best meet your needs. For example, we might use your CPNI to offer you DSL with Internet or long distance, even if you are not currently purchasing those services. And, we can save you valuable time. By giving us your permission, we can shorten your calls, and get right to your important business.

#### You don't need to do anything:

If you give us permission to use your CPNI to market additional products and services to you from the SBC SNET family of companies,

OR

If you have contacted us to restrict or permit our use of CPNI, since your decision is in effect until you call us to change it, which you can do at any time.

There are some important things you should know when making your decision:

- We will not sell, trade, or share your CPNI with anyone outside of The Southern New England Telephone Company, the SBC SNET family of companies, or others authorized to represent us to offer products or services, except as may be required by law.
- If you decide not to give us permission, you must call us at 888-317-8283 (Mon.–Fri. from 7:30 a.m. to 7:00 p.m. and Sat. from 8:00 a.m. to 5:00 p.m.)
- There is no charge for restricting our use of CPNI and restricting our use of CPNI will not affect your service.
- Your decision to permit our use of CPNI or to restrict our use of CPNI will remain in effect until you call us to change it, which you can do at any time.
- Your decision only relates to our use of CPNI to market additional products and services as described here. It will not
  restrict or eliminate other types of marketing contacts.

The employees and management of the SBC SNET family of companies would like to take this opportunity to thank you for your continued business. We are proud to carry on our long tradition of providing our community with reliable, technologically advanced and affordable telecommunications services.

A Spanish version of this message can be obtained upon request by calling 800-5CONTIGO. Una versión de este mensaje está a su disposición en español llamando al 800-5CONTIGO.

#### **BUSINESS DECEMBER 2003 BILL MESSAGES**

## AN IMPORTANT MESSAGE ABOUT CUSTOMER PROPRIETARY NETWORK INFORMATION ("CPNI")

Under federal law, The Southern New England Telephone Company and its affiliates in the SBC SNET family of companies (also referred to as "we" or "us") must ask your permission before using your CPNI to market to you products and services which you are not currently purchasing from us. CPNI includes information about the type, use, and billing of telecommunications services that you purchase from us. Protecting the privacy of your service and usage records is your right and our duty under federal law. We previously sent you a notice regarding your CPNI and, in accordance with federal law, we are sending you that notice again.

With your permission, we can use CPNI to offer you additional products and services that will best meet your needs. For example, we might use your CPNI to offer you DSL with Internet or long distance, even if you are not currently purchasing those services. And, we can save you valuable time. By giving us your permission, we can shorten your calls, and get right to your important business. .

#### You don't need to do anything:

If you give us permission to use your CPNI to market additional products and services to you from the SBC SNET family of companies,

OR

If you have contacted us to restrict or permit our use of CPNI, since your decision is in effect until you call us to change it, which you can do at any time.

There are some important things you should know when making your decision:

- We will not sell, trade, or share your CPNI with anyone outside of The Southern New England Telephone Company, the SBC SNET family of companies, or others authorized to represent us to offer products or services, except as may be required by law.
- If you decide not to give us permission, you must call the service number on the front of your bill (Mon.–Fri. 8:00 5:30)
- There is no charge for restricting our use of CPNI and restricting our use of CPNI will not affect your service.
- Your decision to permit our use of CPNI or to restrict our use of CPNI will remain in effect until you call us to change it, which you can do at any time.
- Your decision only relates to our use of CPNI to market additional products and services as described here. It will
  not restrict or eliminate other types of marketing contacts.

The employees and management of the SBC SNET family of companies would like to take this opportunity to thank you for your continued business. We are proud to carry on our long tradition of providing our community with reliable, technologically advanced and affordable telecommunications services.

# ATTACHMENT D

(Southwest CPNI Notices)

#### **Arkansas**

Under Federal law, SBC Arkansas, the SBC family of companies and authorized agents must ask your permission before using your customer information (CPNI) to market to you products and services which you are not currently purchasing from us. We could use your customer information to advise you of products that may be of interest to you, like DSL with Internet or long distance, even if you do not currently have any services from those SBC family of companies. Your customer information includes the types of services you purchase, how you use them, and the related billing of those services. If this use of your customer information is acceptable, then no further action on your part is required. SBC Arkansas previously sent you a notice regarding your CPNI.

Protecting the privacy of your service and usage records is your right and our duty under federal law. We are required to inform you that you can direct us not to use any of the information about the services you have purchased from SBC Arkansas, SBC Long Distance or other SBC family of companies to offer additional products and services to you. If you do not want us to use any of your service and usage information to offer products and services, please call 1-800-315-8303 and follow the prompts within 30 days of receiving this notice. There is no charge for electing to restrict your information. If you do not restrict our use of your customer information by calling the 1-800-315-8303 within 30 days of receiving this notice, we can use your customer information to offer you products and services that you may find valuable based on your existing services. Restricting your information will not affect the products you currently have from SBC Arkansas and may not eliminate all marketing contacts. Even if you restrict the use of your information, SBC Arkansas may use your records to market to you additional services from those SBC family of companies from which you already have services provided. Your election is valid until you affirmatively revoke or limit it, which you may do at any time.

#### Missouri

Under Federal law, SBC Missouri, the SBC family of companies and authorized agents must ask your permission before using your customer information (CPNI) to market to you products and services which you are not currently purchasing from us. We could use your customer information to advise you of products that may be of interest to you, like DSL with Internet or long distance, even if you do not currently have any services from those SBC family of companies. Your customer information includes the types of services you purchase, how you use them, and the related billing of those services. If this use of your customer information is acceptable, then no further action on your part is required. SBC Missouri previously sent you a notice regarding your CPNI.

Protecting the privacy of your service and usage records is your right and our duty under federal law. We are required to inform you that you can direct us not to use any of the information about the services you have purchased from SBC Missouri, SBC Long Distance or other SBC family of companies to offer additional products and services to you. If you do not want us to use any of your service and usage information to offer products and services, please call 1-800-315-8303 and follow the prompts within 30 days of receiving this notice. There is no charge for electing to restrict your information. If you do not restrict our use of your customer information by calling the 1-800-315-8303 within 30 days of receiving this notice, we can use your customer information to offer you products and services that you may find valuable based on your existing services. Restricting your information will not affect the products you currently have from SBC Missouri and may not eliminate all marketing contacts. Even if you restrict the use of your information, SBC Missouri may use your records to market to you additional services from those SBC family of companies from which you already have services provided. Your election is valid until you affirmatively revoke or limit it, which you may do at any time.

#### **SBC Texas – CPNI Notice**

SBC Texas has previously sent you a notice regarding your customer information rights. Under federal law, SBC Texas, its affiliates and authorized agents must ask your permission before disclosing or providing access to your customer information (CPNI) to market products and services to you that you are not currently purchasing from us. Customer information includes where, when, and to whom a customer places a call, as well as the types of telecommunications services to which the customer subscribes and the extent to which the service is used. Your customer information also includes how you use those services and the related billing of those services. For example, we could use your customer information to advise you of products that may be of interest to you, like DSL with Internet or long distance, even if you do not currently have any services from those SBC Texas affiliates. If these uses of your customer information are acceptable, then no further action on your part is required.

Protecting the privacy of your service and usage records is your right and our duty under federal law. We are required to inform you that you can direct us not to use any of the information about the services you receive from SBC Texas, SBC Long Distance or other SBC Texas telecommunication provider affiliates to offer additional products and services to you. If you do not want us to use any of this service and usage information to offer other products and services, please call 800-315-8303 and follow the prompts within 30 days of receiving this notice. If you do not restrict our use of your customer information by calling 800-315-8303 within 30 days, we can use your customer information to offer you products and services that you may find valuable based on your existing services. You may also call this number at any time after the initial 30-day period to restrict the use of your customer information. There is no charge for electing to restrict your information. Restricting your information will not affect the products you currently have from SBC Texas and may not eliminate all marketing contacts. Even if you restrict the use of your information, SBC Texas may use your records to market to you additional services from those SBC Texas affiliates from which you already have services provided. Your election is valid until you affirmatively revoke or limit it.

SBC Texas, its affiliates and authorized agents will not sell, trade, or share your customer information with anyone outside of the SBC family of companies, or others authorized to represent us to offer products and services, except as authorized by law.

#### Kansas

Under Federal law, SBC Kansas, the SBC family of companies and authorized agents must ask your permission before using your customer information (CPNI) to market to you products and services which you are not currently purchasing from us. We could use your customer information to advise you of products that may be of interest to you, like DSL with Internet or long distance, even if you do not currently have any services from those SBC family of companies. Your customer information includes the types of services you purchase, how you use them, and the related billing of those services. If this use of your customer information is acceptable, then no further action on your part is required. SBC Kansas previously sent you a notice regarding your CPNI.

Protecting the privacy of your service and usage records is your right and our duty under federal law. We are required to inform you that you can direct us not to use any of the information about the services you have purchased from SBC Kansas, SBC Long Distance or other SBC family of companies to offer additional products and services to you. If you do not want us to use any of your service and usage information to offer products and services, please call 1-800-315-8303 and follow the prompts within 30 days of receiving this notice. There is no charge for electing to restrict your information. If you do not restrict our use of your customer information by calling the 1-800-315-8303 within 30 days of receiving this notice, we can use your customer information to offer you products and services that you may find valuable based on your existing services. Restricting your information will not affect the products you currently have from SBC Kansas and may not eliminate all marketing contacts. Even if you restrict the use of your information, SBC Kansas may use your records to market to you additional services from those SBC family of companies from which you already have services provided. Your election is valid until you affirmatively revoke or limit it, which you may do at any time.

#### Oklahoma

Under Federal law, SBC Oklahoma, the SBC family of companies and authorized agents must ask your permission before using your customer information (CPNI) to market to you products and services which you are not currently purchasing from us. We could use your customer information to advise you of products that may be of interest to you, like DSL with Internet or long distance, even if you do not currently have any services from those SBC family of companies. Your customer information includes the types of services you purchase, how you use them, and the related billing of those services. If this use of your customer information is acceptable, then no further action on your part is required. SBC Oklahoma previously sent you a notice regarding your CPNI.

Protecting the privacy of your service and usage records is your right and our duty under federal law. We are required to inform you that you can direct us not to use any of the information about the services you have purchased from SBC Oklahoma, SBC Long Distance or other SBC family of companies to offer additional products and services to you. If you do not want us to use any of your service and usage information to offer products and services, please call 1-800-315-8303 and follow the prompts within 30 days of receiving this notice. There is no charge for electing to restrict your information. If you do not restrict our use of your customer information by calling the 1-800-315-8303 within 30 days of receiving this notice, we can use your customer information to offer you products and services that you may find valuable based on your existing services. Restricting your information will not affect the products you currently have from SBC Oklahoma and may not eliminate all marketing contacts. Even if you restrict the use of your information, SBC Oklahoma may use your records to market to you additional services from those SBC family of companies from which you already have services provided. Your election is valid until you affirmatively revoke or limit it, which you may do at any time.